



Patent  
Attorney's Docket No. 1026350-000090

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
Masao MATSUOKA et al.	)	Group Art Unit: 1636
Application No.: 10/667,359	)	Examiner: C. Qian
Filed: September 23, 2003	)	Confirmation No.: 9190
For: METHOD TO PROTECT	)	
TRANSGENES FROM SILENCING	)	

**DECLARATION OF DR. MASAO MATSUOKA**


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. I, Masao Matsuoka, declare the following:
2. I am a citizen of Japan, and have the following mailing address:  
13-5-204, Ooginosato 4-chome, Ootsu City, Shiga Pref. Japan;
3. I am a co-inventor of the invention disclosed and claimed in the above-identified United States patent application filed March 1, 2004, and I am submitting this Declaration in support of that application;
4. Dr. Shoji Tajima is collaborating with me on research activities related to the invention disclosed in the above-identified application;
5. I have reviewed the experiments reported in the Declaration of Dr. Shoji Tajima, submitted concurrently with the present Declaration;
6. The results of the experiments reported in the Declaration of Dr. Tajima demonstrate that the experimental system described in Akasaka et al. (Akasaka et al., Cellular and Molecular Biology (1999) 45, 555-569) does not provide an anti-silencing effect in the presence of a sea urchin arylsulfatase insulator;
7. Thus, the experiments show that the anti-silencing effects provided by the methods recited in the present claims are not inherent in Akasaka et al.;

8. I further declare that all statements made herein of my own knowledge are true and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

Date: June 5, 2007

By:   
Masao MATSUOKA